

Remarks

The amendments to the claims

5 Examiner will immediately see that the amendments serve primarily to simplify and thereby clarify the claim language. The language "the established connection being independent of the search server" is meant to express what is set forth as follows at [0147] of U.S. patent application publication 2004/0249968 of Applicant's application:

10 Thus, having initiated the establishment of a connection between streaming data server 1019(i) and system 1005, DBMS search server 1007 "steps aside" and thereby avoids the necessity of running the streaming data connection through DBMS system 1009.

15 The claims as amended are thus fully supported by the Specification as filed. The amendments further do not substantially alter the scope of the claims.

Traversal of the rejections under 35 U.S.C. 103

The Rodriguez reference

At paragraph 10 of his Office action of 4/28/2009, Examiner rejects claims 2, 4, 6, 8, 10, 12, 14, 20 16, 18, 20, 22, 24, 26, and 28 under 35 U.S.C. 103 on the combination of Levy, Malkin, and Rodriguez, USPGPUB2004/0059720. As pointed out in Applicant's response of 6 June 2007, Rodriguez' priority date is Sept. 23, 2002; Applicant's priority date is October 29, 1999. Rodriguez is consequently not available as a reference against Applicant and the rejection of paragraph 10 is without basis.

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The rejection of claims 1,3,5,7,9,11,13,15,17,19,21,23,25, and 27 as obvious over the combination of Levy and Malkin

The threshold requirement for a rejection under 35 U.S.C. 103 is that the references being combined, when taken together, show *all* of the limitations of the claim under rejection. Claim 30 1 as presently amended is exemplary for the limitations which may be found in any of independent claims 1, 5, 9, 15, 19, and 23:

35 1. (currently amended) A method performed in a search server of initiating a connection via a network for a streaming data item between a client for the streaming data item and a streaming data item server that contains the streaming data item, the client and the streaming data item server and the client and the search server being accessible to each other via the network, the connection being independent of the search server, and the method comprising the steps of:

receiving a specification of the streaming data item from the client via the network;

using the specification to make a query on a database system that is accessible to the search server, the query returning a first identifier that identifies the streaming data item; and

providing the first identifier and a second identifier to the streaming data item server that contains the streaming data item, the second identifier identifying the client and the first identifier and the second identifier being used by the streaming data item server to establish the connection between the client and the streaming data item.

As set forth in straightforward fashion in claim 1, the claim is addressed to a method of initiating a connection via a network for a streaming data item between a client for the streaming data item and a streaming data item server". The method is "performed in a search server" and involves the "streaming data item server", the "client", and the "search server". The method has the following steps, which are "performed in the search server":

1. "receiving a specification of the streaming data item from the client via the network"
2. "using the specification to make a query on a database system that is accessible to the search server, the query returning a first identifier that identifies the streaming data item"
3. "providing the first identifier and a second identifier [identifying the client] to the streaming data item server".

The streaming data item server "[uses] the second identifier to establish the connection between the client and the streaming data item".

The combination of references simply cannot be construed to disclose all of the limitations. Levy is a querying system that receives a specification of a data item from a client and uses it to make a query, but there is no indication in Levy that the response to the query may be "a first identifier that identifies the streaming data item". Malkin is a system for providing masked streaming data to a client in response to a "multimedia content request" that includes a "multidimension content specification" which indicates how the content is to be masked, but the client provides the "multimedia content request" directly to the server. As would be expected from this situation, there is nothing in either reference that discloses, teaches, or implies that Levy does anything like "providing the first identifier and a second identifier [identifying the client] to the streaming data server", or that Malkin uses information obtained from anywhere other than the client to identify either the streaming data or the client who is to receive it. Further, since the claim's provision of information from the search server to the streaming data

server is neither disclosed, taught, nor implied by the references either separately or in combination, it is not surprising that the result of this provision of information, namely that the resulting connection, though "initiated" in the search server" is "independent of the search server" is also not disclosed, taught, or implied. Because the combination of the references does 5 not show the above limitations, Examiner's rejection of the independent claims under 35 U.S.C. 103 is without basis, and for that reason, so are the rejections of the dependent claims.

Conclusion

10 Applicant has demonstrated that their claims as amended are fully supported by the Specification as originally filed and have traversed the rejections under 35 U.S.C. 103. Applicant has thus fulfilled the requirements of 37 C.F.R. 1.111(b) and respectfully requests that Examiner continue with his examination and allow the claims as amended, as provided by 37 C.F.R. 1.111(a). No fees are believed to be required for this amendment. Should any be, please charge them to deposit account number 501315.

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Respectfully submitted,

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